

**CITY OF MIDLAND, TEXAS
BRIEFING SESSION AGENDA
Tuesday, August 14, 2007, 9:00 a.m.
City Hall Conference Room
300 North Loraine
Midland, Texas**

These items, as well as any other items on the regular posted agenda for the City Council Meeting on this date, may be discussed:

1. Presentation by the Texas Department of Transportation (TxDOT).
- ❖2. Presentation and discussion on the Municipal Court Building.

AGENDA FOR CITY COUNCIL MEETING
Tuesday, August 14, 2007 – 10:00 a.m.
Council Chamber – City Hall

The Midland City Council agenda is posted for public notice at least 72 hours prior to the Tuesday meetings. All requests to be placed on the Council agenda by the public must be submitted to the City Manager, in writing, at least one week before the Council meetings. Such written requests must be in sufficient detail to identify the subject matter as well as the contact person who will represent the matter before the Council. The City Council reserves the right to not consider matters over which the City has no jurisdiction.

❖Item related to City Council goals

1. Invocation – Reverend Jerry Berry, Kelview Heights Baptist Church
2. Pledge of Allegiance

MISCELLANEOUS

3. Presentation of special events, organizations, individuals, or periods of time including, but not limited to:
 - a. Special Presentation to City Council from Stonegate Fellowship.

CONSENT AGENDA

4. Consider a motion approving minutes of the July 16, 2007 Special City Council Meeting, the July 24, 2007 Regular City Council Meeting and the August 7, 2007 Special City Council Meeting.

APPROVED

5. Consider a resolution authorizing the transfer of residual contributions in the City's Cafeteria Plan to the Medical-Dental Self-Insurance Fund.

APPROVED

- ❖6. Consider a resolution authorizing the execution of agreements with CGI Technologies and Solutions, Incorporated, for acquisition of upgraded financial, human resources and procurement systems and acquisition of essential other hardware and software; and allocating and appropriating funds therefor.

APPROVED

- 7. Consider a resolution authorizing the purchase of six-hundred (600) refuse containers for the Sanitation Division.

APPROVED

- 8. Consider a resolution authorizing the sale of an irregular portion of Lot 1A, Block H, Montgomery Addition, City and County of Midland, Texas, to Nelson Group Enterprises of Odessa, Texas; closing costs to be paid by Nelson Group Enterprises of Odessa, Texas; adopting the Interim City Manager's appraised value; and ordering recordation by the City Secretary.

APPROVED

- ❖9. Consider a resolution authorizing the acceptance of a grant award from the United States Department of Housing and Urban Development; and authorizing the execution of acceptance documents.

APPROVED

- 10. Consider a resolution calling an election for three city officials; amending the boundaries of the City and City Council Districts; providing for use of accessible voting systems; establishing election precincts for said election; and establishing polling places for said election.

APPROVED

- 11. Consider a resolution calling an election for one city official; providing for use of accessible voting systems; establishing election precincts for said election; and establishing polling places for said election.

APPROVED

- 12. Consider a resolution appropriating funds for the Electronic Document Imaging and Management System, Project Number 8696.

APPROVED

- ❖13. Consider a resolution authorizing the execution of a professional services agreement with RCC Consultants, Incorporated, for initiation, consultation and

evaluation services regarding a wireless computer network within the city of midland; and appropriating funds therefor.

APPROVED

- ❖14. Consider a resolution authorizing the execution of a workforce housing incentive agreement with Anderson Remodeling & Construction, LLC, for the development of single-family residential construction in the City and County of Midland, Texas; said agreement being authorized by Chapter 380 of the Texas Local Government Code; and establishing an incentive program for the construction of single-family workforce housing.

APPROVED

- ❖15. Consider a resolution authorizing the execution of a workforce housing incentive agreement with AGA Homes, LLC, for the development of single-family residential construction in the City and County of Midland, Texas; said agreement being authorized by Chapter 380 of the Texas Local Government Code; and establishing an incentive program for the construction of single-family workforce housing.

APPROVED

- 16. Consider a resolution authorizing the transfer of Lots 1 through 9, Block 4, Greenwood Addition, an addition to the City of Midland, Midland County, Texas, to Midland Habitat for Humanity, Incorporated, in accordance with Section 253.011 and Section 272.001 of the Texas Local Government Code; and authorizing the Interim City Manager and City Attorney to execute all documents necessary to transfer ownership; the transfer of this property is not subject to the notice, bidding, and obtaining fair market value requirements of state law.

APPROVED

- 17. Consider a resolution adopting the Texas Minimum Construction Standards with local amendments and the Texas Minimum Construction specifications with local amendments for use by the City of Midland's Owner Occupied Housing Assistance Program.

APPROVED

- 18. Consider a motion to approve a request for deferral of sewer improvements, to approve a request to waive the associated public improvement guarantee, and to deny a request for deferral of curb and gutter and sidewalk, for Los Conchos Addition, located in Section 14, Block 40, T-1-S, T&P RR Survey.

DEFERRED

19. Consider a motion to approve a request for deferral of curb and gutter and City construction standards on all interior streets, to approve a request for deferral of water and sewer improvements, to defer construction of any part of North County Road 1270, and to waive the associated public improvement guarantee, for Longview Subdivision, Section 2.

APPROVED

20. Consider a motion to defer paving with curb and gutter, water and sewer improvements, and to waive the associated public improvement guarantee, and to waive sidewalk construction for BLS Addition, located in Section 10, Block 39, T-2-S, T&P RR Survey.

APPROVED

21. Consider a motion to defer paving with curb and gutter, water and sewer improvements, and to waive the associated public improvement guarantee, for ATNI Industrial Park, located in Section 10, Block 40, T-2-S, T&P RR Survey.

APPROVED

22. Consider a motion to defer paving with curb and gutter and sewer improvements, and to waive the associated public improvement guarantee for Melody Acres Tenth Section.

APPROVED

23. Consider a motion to defer paving with curb and gutter, water and sewer improvements, and to waive the associated public improvement guarantee for West 1788 Industrial Park, Section 2, located in Section 48, Block 41, T-1-S, T&P RR Survey.

APPROVED

24. Consider a resolution authorizing the Interim City Manager to purchase a Work Order Management System and execute a software license and update and support agreements with Azteca Systems, Incorporated, and NTB Associates, Incorporated; and appropriating funds for said system, Project Number 8816.

APPROVED

25. Consider a resolution authorizing approval of the assignment of the existing right of way license for Section 4, Block 38, T-2-S, T & P RR Company Survey, Midland County, Texas from Western Gas Resources, Incorporated, to Atlas Pipeline Mid-Continent WestTex, L.L.C.

APPROVED

26. Consider a resolution authorizing approval of the assignment of the existing right of way license for Section 9, Block 38, T-2-S, T & P RR Company Survey, Midland County, Texas from Western Gas Resources, Incorporated, to Atlas Pipeline Mid-Continent WestTex, L.L.C.

APPROVED

27. Consider a resolution authorizing an amendment to the existing professional services agreement with HDR Engineering, Incorporated.

APPROVED

28. Consider a resolution authorizing the Interim City Manager to enter into a ten (10) year interlocal agreement with the Greenwood Independent School District regarding Greenwood's access to the City's Water Pollution Control Plant.

APPROVED

SECOND READINGS

29. Consider an ordinance on second reading changing the zoning classification by amending Chapter One, Title XI, of the City Code of Midland, Texas, by permitting Lot 1, Block 5, Westridge Park Addition, Section 6, City and County of Midland, Texas, which is presently zoned PD, Planned District for a Shopping Center, to be used as an Amended PD, Amended Planned District for a Shopping Center; providing for such use to be subject to certain special conditions and restrictions as setout herein; containing a cumulative clause; containing a savings and severability clause; providing for a maximum penalty or fine of two thousand dollars (\$2,000.00); and ordering publication.

APPROVED

30. Consider an ordinance on second reading adopting a site plan for Lot 4B, Block 27, Wydeewood Estates, Section 28, City and County of Midland, Texas; subject to the following conditions and restrictions; containing a cumulative clause; containing a savings and severability clause; providing for a maximum penalty or fine of two thousand dollars (\$2,000.00); and ordering publication.

APPROVED

31. Consider an ordinance on second reading changing the zoning use classification of a 7,190 square foot area out of Lot 1-F, Block 5, Correction Plat of Colony Place, Section 5, City and County of Midland, Texas, which is presently zoned LR-2, Local Retail District, by permitting said property to be used under a specific use permit with term for the sale of all alcoholic beverages in a nightclub for on-premises consumption; making said permit subject to certain conditions and restrictions contained herein; providing for a maximum penalty or fine of two thousand dollars (\$2,000.00); and ordering publication.

APPROVED

32. Consider an ordinance on second reading amending Title VI, "Police Regulations", Chapter VII, "Emergency Ambulances", Section X, "Fees for Ambulance Services Furnished by the City", of the City Code of Midland, Texas; containing a cumulative clause; containing a savings and severability clause; and setting an effective date.

APPROVED

33. Consider an ordinance on second reading amending the Hotel/Motel Fund Budget for Fiscal Year 2006-2007 to provide funding for the Marian Blakemore Planetarium renovations.

APPROVED

PUBLIC HEARINGS

34. At 11:00 a.m. hold a public hearing and consider a resolution on a request by Steve Pepper / St. Ann's Catholic Church for a Temporary Land Use Permit for a Church Fair and Carnival on Lots 1-12, Block 72; Lots 1-5 and Lots 7-12, Block 73, West End Addition, City and County of Midland, Texas. (Generally located between W. Illinois Avenue and W. Texas Avenue, west of N. "M" Street.)

APPROVED WITH AMENDMENT

- ❖35. At 11:03 a.m. hold a public hearing and consider an ordinance on a request by Larry Burns for a zone change from MH, Manufactured Home District, to PD, Planned District for a Transition District to an Amended Planned District on Lots 1-4, and the 20-foot north/south alley, Block 2, Haley Heights Addition, City and County of Midland, Texas. (Generally located on the southeast corner of the intersection of Carter Avenue and Camp Street.)

APPROVED

36. At 11:09 a.m. hold a public hearing and consider an ordinance on a request by Cancun Grill / Joe Torres for a Specific Use Permit with Term for the sale of all alcoholic beverages, for on-premises consumption, in a restaurant, on a 2,285

square feet portion of the west 24.25 feet of Lot 9 and all of Lots 10-12, Block 65, Original Town, City and County of Midland, Texas. (Generally located on the southeast corner of the intersection of W. Wall Street and S. Colorado Street.)

APPROVED

37. At 11:12 a.m. hold a public hearing and consider a resolution on a request by Museum of the Southwest for a Temporary Land Use Permit for Outdoor Amusement Function on Lots 10-12, Block 93, Lots 1-5, Block 105; and Block 94 and 104, West End Addition, City and County of Midland, Texas. (Generally located on the south side of Missouri Avenue, between “J” and “L” Street.)

APPROVED

- ❖38. At 11:18 a.m. hold a second public hearing regarding a proposal establishing the ad valorem tax rate of \$.5386 per \$100 taxable assessed valuation for the Fiscal Year 2007-2008.

APPROVED

39. At 11:21 a.m. hold a public hearing and consider a resolution expressing the intent of the Midland City Council to continue in effect Title VI, “Police Regulations”, Chapter 9, “Curfew Hours for Minors”, of the Midland City Code pursuant to Texas Local Government Code Section 370.002.

APPROVED

DEVELOPMENT SERVICES

40. Consider an ordinance on a request by George Sosa to vacate a 373 square foot portion of the right-of-way of W. Cuthbert Avenue and a 410 square foot portion of the north/south alley all out of Section 26, Block 39, T-1-S, T&P RR Co. Survey, Midland County Texas. (Generally located near the northwest corner of the intersection of W. Cuthbert Avenue and N. Main Street.)

APPROVED

MISCELLANEOUS

41. Consider a motion making appointments to various Boards and Commissions.

NONE MADE

- ❖42. Receive a report from representatives of Arcadis U.S., Corporation regarding the T-Bar Ranch Water Well Field in Winkler County, Texas and consider all related actions concerning the well field.

RECEIVED REPORT

43. Recess to the conference room for lunch.
44. Pursuant to Texas Government Code §551.101, the Council will hold an Executive Session which is closed to the public to discuss the following matters as permitted under the following Texas Government Code Sections:

Respectfully submitted,

Tommy T. Hudson
Interim City Manager